

THIS AGREEMENT, made this 23<sup>rd</sup>  
day of October, 1963, by and  
between the STATE OF ARIZONA,  
acting by and through its STATE  
HIGHWAY ENGINEER, thereunto  
duly authorized, hereinafter desig-  
nated STATE, and the County of Pi-  
ma, acting by and through its Board  
of Supervisors, thereunto duly auth-  
orized, hereinafter designated  
COUNTY.

RECITALS:

For the safety and protection of the traveling public, it is necessary and desirable that a Traffic Signal System (including intersectional lighting) be installed on the State Highway System at the intersection of U. S. 89 and Ina Road, in Pima County, and

WHEREAS, the parties hereto for their mutual benefit desire to co-operate in the installation and maintenance of the said Traffic Signal System each in the manner hereinafter stated, and

WHEREAS, funds have been provided and set aside by the State under AFE 89009 to defray the State's share of the cost of the work and the County has verbally agreed, through its County Engineer, to provide for its share of the work, and

WHEREAS, an estimate of the installation cost is as follows:

State's Share	\$ 7,300.00
County's Share	\$ 4,750.00
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TOTAL ESTIMATED COST	\$12,050.00

and,

WHEREAS, it is the desire of the parties hereto to proceed with the work and set out in writing their understandings and agreements pursuant to which the said work shall be performed, completed, paid for and subsequently maintained.

## ARTICLE I

IN CONSIDERATION of the covenants of the State herein contained and the faithful performance thereof, the County agrees:

1. To pick up at the State Highway Department Yard, Tucson, and deliver to the site of the work all materials and apparatus necessary for the installation of the Traffic Signal System.
2. To provide and set aside sufficient funds to defray the County's share of the installation cost.
3. To furnish all labor, tools, and construction equipment necessary to install the Traffic Signal System.
4. To install in a good and workmanlike manner, and in accordance with the Arizona Highway Department Traffic Signal Installation Standards, General Specifications for Electric Traffic Signal and Highway Lighting Systems, (1960) and Traffic Control Manual for Construction and Maintenance, incorporated herein by reference, and the plans dated August, 1963, and designated project number F-031-1-901, which plans are made a part hereof and incorporated by reference, all materials and apparatus necessary for a two-phase, Full-Actuated Traffic Signal System at the aforementioned intersection. Work shall include all necessary excavation, backfill, pavement and sidewalk replacement as necessary, concrete work, and painting of equipment as required and as specified in the above publications.
5. To return all unused materials and apparatus to the State Highway Department Yard in Tucson upon completion of the work.
6. In the event of any future County construction projects involving the above-mentioned intersection, the project plans shall provide for any necessary modification of the Signal System and such plans shall be submitted to the State for approval. All costs for the work made necessary by the construction project shall be at the County's expense.

7. That any requests for modifications of traffic controls at this intersection shall be based upon and supported by traffic studies.

8. To advise the State or its authorized agent by the most expedient means available of any malfunctioning of the lighting or traffic signals; notification shall include sufficient information for preliminary malfunction diagnosis by the State.

9. To provide and set aside each year sufficient funds necessary for the maintenance and operation of these signals and lighting, including:

- (a) Furnishing of electricity.
- (b) Repainting on a once-every-two-years basis.
- (c) Cleaning and relamping on a semi-annual basis.
- (d) Furnishing all labor, tools, and construction equipment necessary to replace damaged or defective materials and apparatus, and when deemed necessary and with the approval of the State, to install additional apparatus as may be required; all material and apparatus, whether replacements or additions, to be State furnished.

10. That maintenance shall continue until such time as, by mutual agreement, it is no longer necessary or desirable.

## ARTICLE II

IN CONSIDERATION, of the covenants herein contained and the faithful performance thereof, the State agrees:

1. To furnish all materials and apparatus necessary for the Traffic Signal System.

2. To provide inspection during installation and engineering consultation as may be required during installation and subsequent maintenance of the Signal System.

3. In the event of future State construction projects involving the above-mentioned intersection, the project plans shall provide for any necessary modifications of the Signal System, and such plans will be submitted to the County for its approval. All costs of the work made necessary by the construction project shall be at the State's expense.

4. To furnish replacement for damaged or defective materials and apparatus, and to furnish additional material or apparatus as may be required, based upon and supported by future traffic studies.

5. To provide and set aside each year sufficient funds for the maintenance of the traffic signal control apparatus. ✓

### ARTICLE III

IN CONSIDERATION, of the premises it is mutually agreed:

It is specifically understood and agreed that the State is bound by this agreement to furnish certain materials and apparatus as hereinbefore stated, and that the County, in the installation or maintenance of the signals and lighting, and the work incidental thereto, shall use every precaution to safeguard the person and property of the traveling public and shall save harmless the State from all suits, actions, or claims of any character brought on account of any injury or damage sustained in consequence of any neglect in safeguarding the work.

IN WITNESS WHEREOF, the parties hereto have executed this  
agreement the day and year first written above.

Approved as to form:

STATE OF ARIZONA

*Denton M. Lewis*  
Assistant Attorney General

WM. N. PRICE  
State Highway Engineer

Attest:

BY:

*A. L. Chadwick*  
A. L. Chadwick  
Deputy State Engineer

*EPH*

*Justin Herman*  
JUSTIN HERMAN  
State Highway Director

Attest:

BY:

*Pima*  
County Board of Supervisors

*Ella D. Hanna*

*Thomas J. Day* Member  
*Dennis Weaver* Member  
*Pete Rucki* Member

AUTHORIZED BY BOARD OF SUPERVISORS  
OF PIMA COUNTY, ARIZONA,

*October 2, 1963*

*Ella D. Hanna*  
Clerk, Board of Supervisors,  
Pima County, Arizona